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**1 — Texas wants to address climate change. Just don't call it that, E&E News, 11/17/17**

<https://www.eenews.net/stories/1060066829>

Hurricane Harvey may foreshadow intensifying storms along the Texas Gulf Coast, but the state's red political apparatus isn't interested in dwelling on the causes.

**2 — What they don't tell you about climate change, The Economist, 11/16/17**

<https://www.economist.com/news/leaders/21731397-stopping-flow-carbon-dioxide-atmosphere-not-enough-it-has-be-sucked-out>

The Paris agreement assumes, in effect, that the world will find ways to suck CO2 out of the air. But there is barely any public discussion of how to bring about the extra “negative emissions” needed to reduce the stock of CO2 (and even less about the more radical idea of lowering the temperature by blocking out sunlight).

**3 — LaPlace chemical plant emissions will be "significantly reduced" in coming months: report, New Orleans Times-Picayune, 11/18/17**

[http://www.nola.com/environment/index.ssf/2017/11/denka\\_chemical\\_emissions\\_lapla.html](http://www.nola.com/environment/index.ssf/2017/11/denka_chemical_emissions_lapla.html)

A LaPlace chemical plant being sued by St. John the Baptist Parish residents will shut down for a month, starting Monday (Nov. 20), in an effort to lower what some have called potentially dangerous emissions, according to The L'Observateur newspaper.

**4 — Fracking Disproportionately Affects Communities of Color in Texas, Study Shows, Texas Monthly, 11/17/17**

<https://www.texasmonthly.com/energy/fracking-disproportionately-affects-communities-color-texas-study-shows/>

A 2016 study from the American Journal of Public Health on fracking disposal wells in the Eagle Ford area of South Texas found a positive correlation between the proximity of a fracking wastewater disposal site and the proportion of people of color living in that area.

**5 — A civil rights 'emergency': justice, clean water and air in the age of Trump, The Guardian, 11/20/17**

<https://www.theguardian.com/us-news/2017/nov/20/environmental-justice-in-the-age-of-trump>

There is a growing urgency around the struggle for environmental justice as the Trump administration peels away rules designed to protect clean air and water, say political leaders, academics and activists.

**6 — What EPA chief Scott Pruitt promised — and what he's done, Politico, 11/19/17**

<https://www.politico.com/interactives/2017/scott-pruitt-promises/>

The Environmental Protection Agency administrator came into office promising to discard his predecessor's “overreaching” focus on climate change and concentrate on what he called the agency's real mission: cleaning up the air, water and land.

**7 — Magnitude 3.7, 2.9 quakes rattle Oklahoma town early Sunday, Tulsa World, 11/19/17**

[http://www.tulsaworld.com/ap/state/magnitude-quakes-rattle-oklahoma-town-early-sunday/article\\_65db37e6-0a58-5dbf-9c65-e9a70db8e31b.html](http://www.tulsaworld.com/ap/state/magnitude-quakes-rattle-oklahoma-town-early-sunday/article_65db37e6-0a58-5dbf-9c65-e9a70db8e31b.html)

The U.S. Geological Survey has recorded two earthquakes that struck near a central Oklahoma town early Sunday. Both temblors hit just east of the Oklahoma City suburb of Edmond. The first quake had a preliminary magnitude of 3.7 and struck at 2:12 a.m.

**8 — Pipeline rupture shatters couple's dreams, San Antonio Express-News, 11/18/17**

<http://www.expressnews.com/news/local/article/Pipeline-rupture-shatters-couple-s-dreams-12368272.php>

Meghan Arnold and Steve Woytasczyk were startled awake in their bed to a deafening roar. It sounded like a jet plane taking off in their living room. As Woytasczyk opened their front door, a powerful sulfur smell smacked him in the face. He looked around and saw a strange substance raining down from the sky.

**9 — LR wastewater utility passes \$91.9M budget, Arkansas Democrat-Gazette, 11/19/17**

<http://www.arkansasonline.com/news/2017/nov/19/lr-wastewater-utility-passes-91-9m-budg/?f=latest>

Revenue and expenses are both projected to increase at the Little Rock Water Reclamation Authority next year. The authority's governing commission approved a \$91.9 million budget last week. Of that, \$27.5 million comprises operation and maintenance expenses, up \$600,000 from this year, or 2.2 percent.

**10 — One year after flooding, eastern Livingston Parish votes no on drainage improvements, Baton Rouge Advocate, 11/19/17**

[http://www.theadvocate.com/baton\\_rouge/news/communities/livingston\\_tangipahoa/article\\_722e409e-cd60-11e7-89e9-2fa488b31969.html](http://www.theadvocate.com/baton_rouge/news/communities/livingston_tangipahoa/article_722e409e-cd60-11e7-89e9-2fa488b31969.html)

A year after thousands of homes flooded in Livingston Parish, residents in the eastern part of the parish said "no" to tax proposals that would have paid for drainage improvements.

**11 — Refiners over a barrel ... and the barrel is full of ethanol, Tulsa World, 11/19/17**

[http://www.tulsaworld.com/opinion/waynegreene/wayne-greene-refiners-over-a-barrel-and-the-barrel-is/article\\_7b7ef767-d407-5a38-a87a-6e9bd0e4e97d.html](http://www.tulsaworld.com/opinion/waynegreene/wayne-greene-refiners-over-a-barrel-and-the-barrel-is/article_7b7ef767-d407-5a38-a87a-6e9bd0e4e97d.html)

Federal rules and politics have Oklahoma refineries over a barrel, and the barrel is full of ethanol. Renewable fuel standards passed by Congress in 2007 hold U.S. refineries responsible for blending billions of barrels of ethanol into the U.S. fuel supply every year through 2022.

## HURRICANE HARVEY

## Texas wants to address climate change. Just don't call it that

Mike Lee and Edward Klump, E&E News reporters • Energywire: Friday, November 17, 2017



Downtown Houston is seen on Aug. 30, flooded from Hurricane Harvey's rain. J. Daniel Escareño/Flickr

HOUSTON — Hurricane Harvey may foreshadow intensifying storms along the Texas Gulf Coast, but the state's red political apparatus isn't interested in dwelling on the causes.

Texas Gov. Greg Abbott (R) has asked Congress and the Trump administration for \$61 billion to help repair damaged infrastructure and build new storm-protection systems. But the term "climate change" doesn't appear in his 301-page request ([Energywire](#), Nov. 2).

Instead, Abbott and John Sharp, who leads the governor's reconstruction commission, use the term "future-proofing."

While the language from state leaders could be a nod to political reality — the Trump administration holds the purse strings and has ridiculed climate change research — experts warn that the evidence is clear. Texas and its residents are going to face worse storms in a changing world.

"I imagine they're choosing the language they think will be most effective," John Nielsen-Gammon, the state climatologist, said in an interview. "It's certainly true that you have to plan for the future climate rather than the past climate. The future is what's going to govern what happens to us."

Two recent reports — an update to the National Climate Assessment and a study from a Massachusetts Institute of Technology scientist — conclude that hurricanes and other tropical storms will carry more rain by the end of the century.

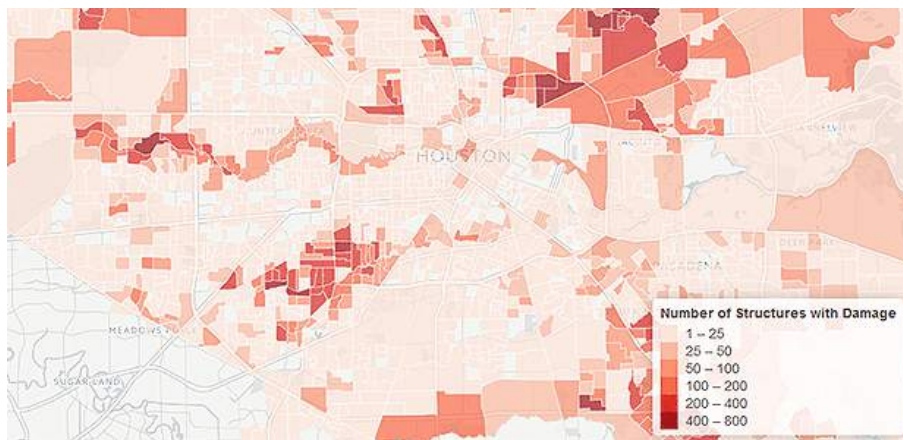
It's also likely that those storms' winds will become more intense and that hurricanes will range farther to the north on the U.S. coast.

The climate [report](#) says there's a high confidence that hurricanes will produce more rain by 2100. The report, which included input from 13 government agencies, also says global temperatures rose 1.8 degrees Fahrenheit over 115 years and it's "extremely likely" human activity was the dominant cause of warming since the mid-20th century ([E&E News PM](#), Nov. 3).

The MIT [paper](#), published in the *Proceedings of the National Academy of Sciences*, used computer models to estimate how much more often a Harvey-like rain event — which it defined as about 20 inches — will happen in Texas. Late in the 20th century, the odds of that type of rain hitting Houston in a given year were 1 in 2,000. By the end of this century, the odds will be 1 in 100, the paper says.

Along the entire Texas coast, the odds increase to 18 in 100 by the end of this century, from 1 in 100 at the end of last century.

### Seeking a 50-year horizon



**[+]** A map of Houston shows areas that had the most storm damage during Hurricane Harvey. City of Houston

The mechanism for the increase is simple, said MIT professor Kerry Emanuel, the paper's author: Warmer air carries more moisture, leading to more rain. That will have serious implications for flood-prone areas like the Texas coast.

"It would be nice to see cities in general plan on a 50-year time scale, at least, versus a one- or two- or 10-year time scale," he said.

In the Greater Houston area, most of the damage from Harvey was caused by the storm's record-setting rainfall. More than 50 inches of rain fell in less than a week in some areas, overwhelming an outdated drainage system and damaging more than 100,000 homes.

More than 75 people died in Texas because of the storm and its aftermath. Numerous refineries and chemical plants shut down, leading to shortages of some chemicals and a spike in gasoline and diesel prices ([Energywire](#), Sept. 5).

The U.S. Chemical Safety Board, which has been investigating a plant outside Houston that caught fire during the storm, said the industry as a whole may need to take a closer look at the risk of storms and floods.

The facility, owned by Arkema Inc., handles hazardous chemicals that have to be refrigerated to keep them from catching fire. The storm flooded parts of the site 6 feet deep and knocked out the power and backup systems. Arkema's crew moved the chemicals to trailers and allowed them to burn over the course of four days.

The severity of the flooding shows that companies throughout the country may need to re-evaluate their emergency plans, CSB Chairwoman Vanessa Allen Sutherland said at a news conference Wednesday.

"I know no one has a crystal ball, but we don't want people to be lulled into a false sense of thinking that the plan they have today, that they may have done a year or two or three years ago, is still going to be adequate," Sutherland said.

In Texas, elected officials tend to break by party lines on climate change, even though they often agree on the need for solutions.

The city of Houston and surrounding Harris County, for instance, have worked together for years on emergency planning. Since the storm, they've both discussed buying out flood-prone homes and creating more green space and detention ponds to handle runoff.

### Differing approaches

Houston Mayor Sylvester Turner, a Democrat, favors a direct approach to climate change.

"There is no question it has to be a part of our conversation," Turner said in a recent interview. "You can't talk about mitigation strategies, OK, without talking about climate change."

He's one of hundreds of U.S. mayors to support the Paris Agreement on reducing global greenhouse gas emissions. And Turner sent a letter to U.S. EPA this month asking it to hold a public hearing in Houston on the agency's proposed repeal of the Obama administration's Clean Power Plan.

Repealing the Clean Power Plan without committing to replacing it with a better option to address power plants' carbon pollution is "a grave mistake," Turner wrote. An EPA spokesperson indicated this week that only a site in West Virginia is slated to hold a repeal hearing, though that could change.

Harris County Judge Ed Emmett, a Republican whose job makes him the head of the county commission, said the region needs to be ready for more major rain events. Emmett said he plans for the worst and has rolled out 15 [ideas](#) to consider.

"As county judge, I don't have anything to do with climate change," he said this week in an interview. "That's way out of my purview, so that's not something I concern myself with."

Abbott and the bulk of the state's congressional delegation are urging the Trump administration to fund the whole \$61 billion list of recovery projects, saying it will prevent future losses.

"If we can get this stuff done, we won't be back here in 10, 12, 15 years, lives lost, property destroyed, industry destroyed, jobs lost," Rep. Randy Weber (R), whose district includes parts of three coastal counties that

experience heavy flooding, said during a telephone town hall meeting this week with constituents.

That sense of urgency has put Weber, a conservative who represents largely rural and suburban areas, in the same camp with Rep. Sheila Jackson Lee, a Democrat who represents much of Houston's urban core. Lee has been calling for better flood control for years.

Abbott's press office, though, declined to discuss the research on climate change, as did Weber's staff and the staff of Sen. John Cornyn (R-Texas). The offices of Sen. Ted Cruz (R-Texas) and Texas Lt. Gov. Dan Patrick (R) didn't respond to requests to discuss climate change and possible federal storm funding.

### A 'political issue'

At state agencies that are working on hurricane recovery, leaders tend to discuss higher temperatures and different conditions without saying climate change.

"I've always advocated that we need to be preparing for climate variability," Bryan Shaw, who leads the Texas Commission on Environmental Quality, said in an interview last month. "We need to [be] preparing for flood, for drought, for heat, for cold."

Shaw said there likely will be some adjustment around what is considered a 100-year flood, saying, "That may or may not be because of the elevated temperatures we're seeing."

Rep. Gene Green, a Democrat who represents part of Houston's urban area, said he recognizes the need to address climate change, even though the energy industry is a big employer in his district. He also understands why some of his colleagues don't want to talk about it.

"Climate change is a political issue, particularly in the Republican primary," Green said, adding, "But I think we ought to keep our head out of the sand and say climate change is part of this and we need to look at what we're doing there, too."

Some observers say Texas' two main parties may not be that far apart on storm planning and are optimistic that they can work together even if they use different words to describe the problem.

Otis Rolley, who now works on climate and other issues as part of the Rockefeller Foundation's 100 Resilient Cities program, said it's not unusual for local officials to tailor their messages, particularly if they're in a conservative area of the country.

"I don't want us to waste time and energy fighting about the terminology," Rolley said. "If there's funding available, it's important we jump onto that."

Many Texas conservatives "in their heart of hearts" see global warming as a threat, said Cal Jillson, a political science professor at Southern Methodist University. But they're also interested, he said, in low taxes and deregulation.

That has left Republicans to use their own words as they seek federal money — even if Jillson said terms such as "climate variability" seem more like a way to explain the disappearance of dinosaurs than how to cope with worsening storms.

"They're phrases that are simply attempts not to use the words that the liberals want them to use, but also to say, you know, that we're not completely unaware," Jillson said.

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## Negative-emissions technology

# What they don't tell you about climate change

*Stopping the flow of carbon dioxide into the atmosphere is not enough. It has to be sucked out, too*



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■ Print edition | Leaders

Nov 16th 2017

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TWO years ago the world pledged to keep global warming “well below” 2°C hotter than pre-industrial times. Climate scientists and campaigners purred. Politicians patted themselves on the back. Despite the Paris agreement’s ambiguities and some setbacks, including President Donald Trump’s decision to yank America out of the deal, the air of self-congratulation was still on show among those who gathered in Bonn this month for a follow-up summit.

Yet the most damaging thing about America's renewed spasm of climate-change rejection may not be the effect on its own emissions, which could turn out to be negligible. It is the cover America has given other countries to avoid acknowledging the problems of the agreement America is abandoning.

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The Paris agreement assumes, in effect, that the world will find ways to suck CO<sub>2</sub> out of the air. That is because, in any realistic scenario, emissions cannot be cut fast enough to keep the total stock of greenhouse gases sufficiently small to limit the rise in temperature successfully. But there is barely any public discussion of how to bring about the extra “negative

emissions” needed to reduce the stock of CO<sub>2</sub> (and even less about the more radical idea of lowering the temperature by blocking out sunlight). Unless that changes, the promise of limiting the harm of climate change is almost certain to be broken.

### Don't be so positive

Fully 101 of the 116 models the Intergovernmental Panel on Climate Change uses to chart what lies ahead assume that carbon will be taken out of the air in order for the world to have a good chance of meeting the 2°C target. The total amount of CO<sub>2</sub> to be soaked up by 2100 could be a staggering 810bn tonnes, as much as the world's economy produces in 20 years at today's rate (see [article \(http://www.economist.com/news/briefing/21731386-cutting-emissions-will-not-be-enough-keep-global-warming-check-greenhouse-gases-must-be\)](http://www.economist.com/news/briefing/21731386-cutting-emissions-will-not-be-enough-keep-global-warming-check-greenhouse-gases-must-be) ). Putting in place carbon-removal schemes of this magnitude would be an epic endeavour even if tried-and-tested techniques existed.

They do not. A few power stations and industrial facilities capture CO<sub>2</sub> that would otherwise end up in the air and store it away underground, a practice known as carbon capture and storage. But this long-touted approach to cutting emissions still operates on only a very small scale, dealing with just a few tens of millions of

tonnes of CO<sub>2</sub> a year. And such schemes merely lower emissions; they do not reverse them.

What might? One option is to plant more forests (which act as a carbon sink) or to replace the deep-ploughing of fields with shallow tillage (which helps soils absorb and retain more CO<sub>2</sub>). Another is to apply carbon capture and storage to biomass-burning power plants, stashing the carbon sucked up by crops or trees burnt as fuel. Fancier ideas exist. Carbon could be seized directly from the air, using chemical filters, and stored. Or minerals could be ground up and sowed over land or sea, accelerating from aeons to years the natural weathering process that binds them to CO<sub>2</sub> to form carbonate rocks.

Whether any of these technologies can do the job in time is unknown. All of them are very expensive and none is proven at scale. Persuading Earth's swelling population to plant an India's worth of new trees or crops to produce energy, as the climate simulations require, looks highly improbable. Changing agricultural practices would be cheaper, but scientists doubt that this would suck up enough CO<sub>2</sub> even to offset the greenhouse gases released by farming. Direct air capture and enhanced weathering use less land, but both are costlier. Though renewable energy could profitably generate a fair share of the world's electricity, nobody knows how to get rich simply by removing greenhouse gases.

When the need is great, the science is nascent and commercial incentives are missing, the task falls to government and private foundations. But they are falling short.

More science would serve as a collective insurance policy against a grave threat. However, this year Britain became just the first country to devote cash to such projects; America is eyeing grants, too, despite Mr Trump. Britain's one-off £8.6m (\$11.3m) is footling. Roughly \$15bn a year goes to research into all low-carbon technologies; that pot needs to increase, and more of it should be channelled to extracting carbon.

### **Another form of climate denial**

A big market for CO<sub>2</sub> would provide an extra incentive to mine it from the atmosphere. But its uses are still limited. If regulators forced industries that



cannot convert to electricity, such as aviation, to use synthetic fuels rather than fossil ones, demand for the CO<sub>2</sub> that is the raw material for those fuels could increase greatly. The industries, though, would resist.

If the market will not provide an incentive, governments could. The case for a proper price on carbon (this paper has favoured a tax) is strong. Its absence is one of the reasons carbon capture and storage has not taken off as a way of reducing emissions from fossil-fuel plants; the kit needed can double the price of electricity. Yet, setting a price high enough to encourage negative emissions would asphyxiate the economy.

Subsidies are another option. Without them, renewables would have taken longer to compete with fossil fuels. But they are wasteful. Germany has lavished \$1trn on low-carbon electricity, and even then still depends on fossil fuels for over half its power. Still, governments could offer a reward for every tonne of CO<sub>2</sub> that is extracted and stored. In theory such a bounty should be paid from a fund bankrolled by countries according to their cumulative historical emissions (top comes America followed by Europe, with China rapidly closing the gap). In practice no mechanism exists to get them to cough up.

Indeed, facing the shortcomings of Paris is beyond most governments. Under Mr Trump, America is not prepared to reduce the flow of emissions, let alone the stock. But the problem would not magically be solved even if America returned to the fold. Many rich countries say they are already doing their bit by cutting emissions more steeply than developing countries. In fact, taking carbon dioxide from the atmosphere is not an alternative to belching out less greenhouse gas. It is necessary in its own right. Unless policymakers take negative emissions seriously, the promises of Paris will ring ever more hollow.

*This article appeared in the Leaders section of the print edition under the headline "What they don't tell you"*

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## LOUISIANA ENVIRONMENT AND FLOOD CONTROL

# LaPlace chemical plant emissions will be "significantly reduced" in coming months: report

Updated Nov 18;

Posted Nov 18



The Denka Performance Elastomer plant in LaPlace will be shut down for a month as a regenerative thermal oxidizer is installed to reduce the plant's chloroprene emissions.

## Comment

**By Marie Simoneaux, [mariesimoneaux@nola.com](mailto:mariesimoneaux@nola.com),**

NOLA.com | The Times-Picayune

A LaPlace chemical plant being sued by St. John the Baptist Parish residents will shut down for a month, starting Monday (Nov. 20), in an effort to lower what some have called potentially dangerous emissions, according to The L'Observateur newspaper.

Chuck Brown, secretary of the Louisiana Department of Environmental Quality, said at a St. John Parish Council meeting the Denka Performance Elastomer plant will close while a regenerative thermal oxidizer is installed to reduce the amount of chloroprene released into the air, L'Observateur reported.

The plant produces neoprene, a synthetic rubber developed in 1931. Chloroprene is needed to make neoprene, which is often used in chemical and weather-resistant products like wet suits, orthopedic braces and in adhesives and electrical insulations, according to the Environmental Protection Agency.

In 2010, the EPA classified chloroprene as a likely human carcinogen.

Long-term exposure to chloroprene could cause liver, kidney, lung and circulatory damage, as well as skin irritation and respiratory difficulties, L'Observateur reported.

Exposure to chloroprene is also known to cause headaches, dizziness, chest pains, light headedness and irritability, L'Observateur reported. Many parish residents and workers say they have suffered from various illnesses and health-related issues because of the plant's emissions.

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"We have a lot of sick people in this parish," Councilman Larry Sorapuru Jr. said to L'Observateur. "When you see a certain level, what I don't know is does that mean that level is going to cause cancer."

According to the report, the oxidizer will be fully operational by the end of the year and should significantly reduce chloroprene emissions. The Denka plant has been operating in LaPlace for 46 years and the Environmental Protection Agency has reported an elevated risk for cancer for those living near it.

Read L'Observateur's entire report [here](#).

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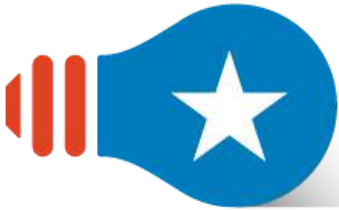
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## Fracking Disproportionately Affects Communities of Color in Texas, Study Shows

The authors call for increased mandatory distance between disposal wells and water sources and for local community members to be more vocal in decisions regarding wastewater.

by KELLY COLES | NOVEMBER 17, 2017 | 13 COMMENTS



A flare burns near a fracking well in the Eagle Ford Shale region on May 31, 2015, near Karnes City.

AARON M. SPRECHER/AP



A [2016 study](#) from the *American Journal of Public Health* on fracking disposal wells in the Eagle Ford area of South Texas found a positive correlation between the proximity of a fracking wastewater disposal site and the proportion of



people of color living in that area.

Fracking has been associated with numerous health and environmental risks including global warming, air pollution, water contamination, and earthquakes. These linkages are a source of contention between environmental activists and oil and gas companies.

A 2014 study in the journal *Reviews on Environmental Health* links the chemical additives and chemical by-products associated with fracking to neurological problems in infants and children. According to the study, there is no surefire way to keep the chemicals additives out of the water and air in disposal areas. This exposure is linked to reproductive issues such as miscarriages, pre-term birth, and low birth weight. The study recommends more research should be done into the extent of these developmental effects.

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But despite these concerns, fracking has charged ahead in the U.S. It has kept the U.S. ahead in the global energy game as one of the top oil and natural gas producers, behind only Saudi Arabia and Russia. In the last two decades, there has been a dramatic increase in fracking sites. In 2000, there were approximately 23,000 hydraulically fractured wells in the U.S. As of February 2017, there were **279,615 active wells in Texas alone**.

According to the EPA, each hydraulically fractured well requires that 11 to 19 million liters of liquid mixture (water, sand, and chemical additives) be shot into the ground. On average, 5.2 million liters (27 percent to 47 percent) of this mixture returns to the surface as wastewater. Most of this water cannot be recycled, and as a result is stored in large wells beneath the earth's surface.

*American Journal of Public Health* states, "waste disposal sites are often unequally distributed and located away from the individuals who receive most of the benefits associated with activities that generate the waste." The study found that in sites with less than 40 percent people of color, 10 percent of residents were located within 5 kilometers of a wastewater well, and in communities with over 80 percent people of color, 18.4 percent of residents were located within 5 kilometers of a wastewater site.

"Permitting for disposal wells is virtually ubiquitous across Texas, suggesting few siting restrictions, unlike other states," the study states. Income and land ownership are indicators of political influence in these decisions, and with few resources to challenge these permits, low income communities become a target. This results in persisting, adverse health outcomes in communities of color.

The study recommends a decrease in toxic substances used in fracking, as well as an increased mandatory distance between the disposal wells and community water sources. It also calls upon community members to be more vocal in decisions regarding wastewater.

Though more research is needed into the full extent of the health effects of fracking, it is known that waste facilities have a negative effect on the health of communities, and they are disproportionately located in rural communities and communities of color.

Tags: **ENERGY**, **FRACKING**

# and air in the age of Trump

There is a growing urgency around the struggle for environmental justice as the Trump administration peels away rules designed to protect clean air and water, say political leaders, academics and activists

by in New York

theguardian

Monday 20 November 2017 07.00 EST

The Trump administration's dismantling of environmental regulations has intensified a growing civil rights battle over the deadly burden of pollution on minorities and low income people.

Black, Latino and disadvantaged people have long been disproportionately afflicted by toxins from industrial plants, cars, hazardous housing conditions and other sources.

But political leaders, academics and activists spoke of a growing urgency around the struggle for environmental justice as the Trump administration peels away rules designed to protect clean air and water.

"What we are seeing is the institutionalization of discrimination again, the thing we've fought for 40 years," said Robert Bullard, an academic widely considered the father of the environmental justice movement.

"There are people in fence line communities who are now very worried. If the federal government doesn't monitor and regulate, and gives the states a green light to do what they want, we are going to get more pollution, more people will get sick. There will be more deaths."

Activists and some in Congress now view the blight of pollution as a vast, largely overlooked civil rights issue that places an unbearable burden on people of color and low-income communities.

Senator Cory Booker, a Democrat from New Jersey, recently said: "Civil rights have to include, fundamentally, the right to breathe your air, plant tomatoes in your soil. Civil rights is the right to drink your water."

"If your children don't have access to clean air and water, all the ideals we preach in this country are a lie. Environmental justice must be at the center of our activism in our fight to make real the promise of America."

Last month, Booker unveiled new legislation, supported by a group of senators including Bernie Sanders and Elizabeth Warren, that he said would help eliminate environmental injustice. The bill would require federal agencies to address the issue, force authorities to consider existing pollution when allowing new industrial facilities and hand individuals the power to use the Civil Rights Act to sue over pollution.

Mustafa Ali, who helped create the Environmental Protection Agency's (EPA) office of environmental justice and worked there for 24 years, told the Guardian he's been alarmed by proposed EPA budget cuts and the federal government's heavily-criticized response to the ongoing humanitarian disaster in Puerto Rico, which was struck by Hurricane Maria in September.



Eve Butler stands near a relative's home that is surrounded by oil storage facilities on all sides in St James, Louisiana, which has become known as 'cancer alley'. Photograph: Lauren Zanolli for the Guardian

"I left the EPA because of the proposals to roll back legislation that will have direct impacts on local communities," he said. "Ten months in, they have yet to move forward any action to help communities be healthier. People in Puerto Rico are drinking toxic water. Unfortunately, so far, I've been proved right in my decision to leave. I wanted them to prove me wrong."

The Trump administration has targeted dozens of regulations it says have stymied economic growth. It has moved to axe an Obama-era plan to reduce emissions from coal-fired power plants, delayed new standards to cut toxic fumes from vehicles and dropped a proposed ban on a pesticide linked to developmental delays in children.

An EPA spokeswoman said the agency is "pursuing common sense reforms that reduce regulatory burden while maintaining environmental and public health protection". She said the agency's leadership is "refocusing EPA on its core mission" to tackle the most significant environmental and public health problems.

"Under the nation's environmental laws, the US has made great progress in cleaning up the air, land, and water," she said. "However, we acknowledge that many low income, minority and tribal populations still bear a disproportionate burden of potential risk from sources of pollution."

The Trump administration's proposed budget outlined a plan to close the EPA's office of environmental justice, although this plan now appears to have been shelved with the office shifting to be directly under the purview of EPA administrator Scott Pruitt.

"This move is a reaffirmation of administrator Pruitt's commitment to the mission and goals of the agency's environmental justice program," said the EPA spokeswoman.

But Ali said there is little evidence the agency is focused on vulnerable communities, claiming it is a "particular slap in the face" that the EPA wants to cut funding for anti-lead programs given that the largely black city of Flint, Michigan, continues to suffer from lead-tainted water, three years after the scandal was exposed.

Recent high-profile controversies such as Flint, where a series of failures allowed lead to leach into the drinking supply, and the Dakota Access pipeline, where protestors in North Dakota have clashed with police over concerns the Standing Rock tribe's water will be contaminated, have elevated the profile of environmental justice. But similar problems have dotted the US for years, often lingering stubbornly.

Booker recently embarked on a tour of festering environmental problems suffered largely by minorities, including a North Carolina community next to hog farms that spray untreated waste onto nearby fields, meaning that opening windows or hanging washing outdoors are risky endeavors. The industry dismisses these claims.

Booker also visited Uniontown, Alabama, which he said had been “ruined” by a giant industrial waste dump and the so-called “cancer alley” – communities that live alongside an infamous corridor of petrochemical plants in Louisiana. But he said it wasn’t necessary to travel far from his home state to understand the problem.

“I became an environmentalist, I have to be candid with you, not because of the effects of global warming some time in the future,” said Booker, a former mayor of Newark, New Jersey, at a time when the city was experiencing its own problems with lead contamination of drinking water. “I became an environmentalist because I saw horrific examples of environmental injustice and how it was hurting my community in every single way.”

Against the unusually industry-friendly approach adopted by the White House and EPA, as well as a Republican-controlled Congress, Booker’s bill has little foreseeable chance of becoming law. But it signals a fresh determination by activists to put pollution on the same civil rights footing as other issues, such as criminal justice.

“It’s definitely moved up the priority list,” said Ali. “I wasn’t around late 1960s and 1970s, but people talk about spirit of civic engagement then. We are seeing a new round of that now.”



Pollution in America. ‘If the government doesn’t monitor and regulate ... more people will get sick. There will be more deaths.’

Composite: AP, Getty Images & Rex Features

The roots of the environmental justice movement are diffuse, but a string of events in Houston, Texas, proved foundational. In 1967, an eight-year-old black girl drowned at a landfill dumping site that was placed in a heavily African-American neighborhood. Community members picketed the site, joining forces with other protestors who were agitating against racism in the city’s schools.

A decade later, Bullard, then a sociologist at Texas Southern University, began to study the placement of toxic sites in Houston and discovered an alarming pattern. All five city-owned landfills and six out of eight city-owned incinerators were placed in black neighborhoods, despite black people making up just a quarter of Houston’s population. Bullard said instead of Nimby politics, there was what he called Pibby (Place in blacks’ back yard).

"I was shocked and angered by what I saw in Houston," Bullard said. "I then started to look at Dallas, at Louisiana, at West Virginia, at Alabama. Houston wasn't atypical at all. Residential apartheid was happening everywhere."

Years of racist housing policies, tacitly and explicitly approved by government, and a lack of political clout made minorities close neighbors for manufacturing plants, landfills, power stations and other potentially toxic facilities. State-led pursuit of polluters, particularly in some southern states, has been tepid.

The environmental movement was initially slow to see its cause as being intertwined with civil rights. "We love polar bears, birds and wetlands, but we also want to talk about children being poisoned by lead," said Dr Benjamin Chavis, a civil rights leader who was an assistant of Martin Luther King Jr.

"We had a lot of education to do with very smart white people in the environmental movement. We had to call out their paternalism and racism. They said they don't deal with social issues, like breathing air was a niche social issue."

The issue of environmental justice, aided by the research of Bullard and many others since, is now both understood and persistent.

Of all the people who live within three miles of the most toxic sites in the US, known as superfund areas by the EPA, 46% are minorities – a proportion far higher than the 37% national non-white population.

One in three Latinos live in areas that violate federal standards for ozone, a pollutant that causes smogs and is linked to an array of health problems. The thousands of abandoned mines that dot the western US have left a legacy of soil and water contamination that blights native American tribes, such as the Navajo nation.

Nearly seven in 10 African Americans live within 30 miles of a coal-fired power plant, compared to 56% of whites. Once the coal is burned, its ash, which can damage the nervous system and cause cancers if ingested or inhaled, is dumped in around 1,400 sites around the US – 70% of which are situated in low-income communities.

Oil and gas operations also loom over many black neighborhoods, potentially exposing them to a stew of chemicals including benzene, sulfur dioxide and formaldehyde.

"The effects of oil and gas pollution are disproportionately afflicting African Americans, particularly cancer and respiratory issues, and the trend is only increasing," said Dr Doris Browne, president of the National Medical Association.

"Our membership is seeing far too many patients in communities of color suffering from these diseases. It is our goal to fight to reverse this dangerous trend."

More than 1 million African-Americans live within half a mile of an oil or gas facility, according to research compiled by the National Association for the Advancement of Colored People (NAACP) and the Clean Air Task Force. An even larger black population – around 6.7 million people – live in a US county that also features an oil refinery.

The NAACP maintains that "fence-line" communities near industrial plants emerge when energy companies target certain neighborhoods that then enter a gloomy spiral that forces property values and traps residents. The organization has recently expanded its campaigning to focus on how communities of



color are now bearing the brunt of natural disasters, such as the recent hurricanes in Texas, Florida and Puerto Rico, that are supercharged by climate change.

“The main factor is race – poor whites do better than middle class blacks,” said Bullard. “Housing discrimination is so entrenched in America that money doesn’t buy you out of segregated neighborhoods.



People rally in front of Trump International Hotel during the Native Nations Rise protest in March. Photograph: Nicholas Kamm/AFP/Getty Images

“A white person who is poor can put on a suit and tie and look for an apartment. They are seen as a regular person. A black person will meet discrimination, which drives who lives where and what is located there. You see this pattern all over – parks and grocery stores and so on aren’t located in black neighborhoods. But pollution is.”

America’s air is generally far more breathable and its water broadly safer to drink than the 1970s, but discrepancies remain, including among children, who are acutely susceptible to airborne particulates that cause respiratory problems and lead-laced water that can hinder development.

More than 14% of black children in the US have asthma, compared to 8% of white children. Black children are also much more likely than their white counterparts to be hospitalized due to the condition.

Pollution often lingers at both home and at school - around one in 11 US public schools sit within 500ft of a highway or other major road. Studies have linked heavy traffic to childhood asthma.

Federal action began to ramp up in the early 1990s, with a small but dedicated environmental justice office opening within the EPA and then-president Bill Clinton penning an executive order demanding government agencies acknowledge the issue and deeming environmental racism as contrary to the Civil Rights Act.

The EPA has been repeatedly criticized since this point for its sluggish approach to protecting minority communities from insidious pollution, but the final year of the Obama administration saw a new plan to



bolster environmental justice and beef up enforcement. These modest gains could now be snuffed out under a Trump presidency.

## ‘This administration has pushed us into the gutter’

“We had to struggle under George W Bush but we weren’t pushed into the gutter – this administration has pushed us into the gutter,” said a senior EPA official who recently departed the agency. “These communities depend a lot on the EPA, they don’t have much sustainability in them. I just hope we don’t go so far back that we can’t pull it around.”

The prospect of a backwards step horrifies those who have already suffered from America’s pollution inequity. In 2002, Sheila Holt-Orsted noticed a cluster of cancers in her hometown of Dickson County, Tennessee, including her father and aunt. Babies were being born with deformities, such as cleft palates.



Since January, the White House, Congress and the EPA— led by Scott Pruitt — have engineered a reversal of regulations designed to protect the environment and public health. Photograph: Michael Reynolds/EPA

Despite being a healthy former bodybuilder who had since moved to Virginia, Holt-Orsted was worried enough to head to the doctor, who informed her she had stage two breast cancer.

“Once I picked myself up off the floor, I felt I had to do something, so I decided to move home to find the common denominator,” she said. By digging through county and state records, Holt-Orsted found out that a landfill, located less than a mile from her family’s house, was leaking trichloroethylene (TCE), an industrial solvent that is a known carcinogen and neurological toxin, into the drinking water supply at levels far higher than EPA’s safety standards.

Not only was the landfill placed in the heart of Dickson County’s African-American enclave, which included the Holt-Orsteds, but the remediation of the issue was also drawn along racial lines. Holt-Orsted was handed records that showed official state letters were sent to white households warning of the contamination, while black families were sent letters claiming the water was safe to drink.

“It was ignorance, it was racism,” Holt-Orsted said. “Our community was the sacrificial lamb for this landfill.” What followed was a 10-year legal battle that finally forced the authorities to address the pollution and connect households to a clean water supply. “Even then, some of the white people in the town said we were just some niggers looking for money,” Holt-Orsted said.

The more recent water contamination in Flint was “sickening”, Holt-Orsted said, and she worries that further outrages will occur if regulations and enforcement is forgone in favor of industry-friendly bromides.

“The Trump administration will have a huge affect on everyone,” she said. “It’s scary to see how much they are siding with industry. All industry thinks about is how much money to make and that’s exactly what happened in Dickson.

“I had never heard of environmental racism until I was a victim of it. It’s sickening that this is going on in America.”

*Data research by Mona Chalabi*

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## What EPA chief Scott Pruitt promised — and what he's done

By ALEX GUILLÉN ([HTTPS://WWW.POLITICO.COM/STAFF/ALEX-GUILLEN](https://www.politico.com/staff/alex-guillen)) and EMILY HOLDEN ([HTTPS://WWW.POLITICO.COM/STAFF/EMILY-HOLDEN](https://www.politico.com/staff/emily-holden)) | 11/19/17 05:00 AM EDT



Scott Pruitt. Getty Images

For Scott Pruitt, “back to basics” has translated to “back off.”

The Environmental Protection Agency administrator came into office promising to discard his predecessor’s “overreaching” focus on climate change and concentrate on what he called the agency’s real mission: cleaning up the air, water and land.

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But instead, Pruitt has rolled back or stalled environmental protections, given the fossil fuel and chemistry industries more sway over public health decisions and taken steps that critics fear will undermine work on pollution cleanups, according to a POLITICO analysis of what he's accomplished to date. He says he will be tough on environmental crimes, but his agency is also easing up on enforcement and collecting far less in penalties than previous administrations, (<http://www.environmentalintegrity.org/news/penalties-drop-under-trump/>)according to agency watchdogs. (<http://www.environmentalintegrity.org/news/penalties-drop-under-trump/>)

Pruitt is the most unorthodox EPA administrator in decades, an avowed critic of the agency who has alienated much of his career staff. He's spent heavily on travel to meet with business executives and GOP leaders, who want to see a much weaker EPA and could back Pruitt in a future political campaign. He has declined to disclose his daily schedule, employs a large entourage of bodyguards and built a "privacy booth" for communications in his office. He has questioned manmade climate change and kicked respected scientists off his advisory boards, replacing them with representatives from the businesses and the states he regulates.

Obama and Trump's EPAs compared

Actions the Environmental Protection Agency took during the first eight months of the Obama and Trump administrations reflect the differing priorities of each presidency.

Type of action	2009	2017
Delay or withdrawal	14	47
Significant proposed rules*	19	2
Significant final rules	15	6
Action on state cleanup plans	213	378

Type of action	2009	2017
Declarations that areas met or missed standards	28	33
Superfund decisions	54	37

\*Includes advance notices of proposed rulemaking  
Source: POLITICO analysis of Federal Register data from Jan. 21-Sept. 25 in 2009 and 2017

Still, Pruitt, who regularly references his Christian faith, says God wants people to be stewards of the earth. And an agency spokesman said that so far, Pruitt has visited more than 25 states, taken action on major Obama-era regulations and the nation’s most-polluted sites, and increased the number of EPA enforcement agents, which had declined under the previous administration.

“We’re only 10 months on the job and eight years from today, Americans will be impressed with how President Trump and Administrator Pruitt were able to protect the environment and American jobs,” said EPA spokesman Jahan Wilcox.

But Judith Enck, a New York-based regional EPA administrator under former President Barack Obama, said Pruitt’s rhetoric doesn’t match his record.

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“You can’t have clean air and you can’t have clean water if you’re going to roll back crucial environmental rules and not enforce the rules we have on the book,” said Enck, who recently returned from seeing hurricane damage in the Virgin Islands. “We’ll see the effects very soon.”

To get beyond the rhetoric and competing claims, POLITICO compared EPA’s Federal Register filings for the first eight months of the Trump administration with the same period for Obama’s presidency in 2009. They show a significant increase in how often the agency has withdrawn or delayed regulations this year, along

with a decrease in new regulations. The data also show that Pruitt has sped up approvals of state plans to battle air pollution — a fact that his allies consider a sign of progress, but which environmentalists cite as evidence that he is rubber-stamping lax plans.

### Enforcing years-old air pollution standards

Congress has instructed EPA to periodically consider tightening standards for pollutants like smog-forming ozone and lung-damaging soot, based on the latest science about their effects on human health. EPA is in charge of setting national standards and evaluating states' plans to reach them.

But Pruitt said he wants to meet older air quality rules, like the George W. Bush administration's weaker 2008 ozone standard, before focusing on more recent ones. He has not announced which regions have failed to meet the 2015 standard, delaying a years-long process for enforcing those limits.

#### PROMISE



### Clean up air pollution

Pruitt often praises the improvements in U.S. air quality since the Clean Air Act was passed in the early 1970s. But he also says Obama should have done more to meet existing standards before issuing newer, tighter limits on pollutants, such as a 2015 ozone standard that drew opposition from business groups.




#### IN PRUITT'S OWN WORDS

*"One-hundred-twenty million people in this country live in areas that don't meet air quality standards. That's what the previous administration left us with," Pruitt told a Heritage Foundation event in October.*




### In line with his promise

-  Plans to keep EPA's existing standards for nitrogen oxide and sulfur dioxide, which cause respiratory problems and acid rain.
-  Advanced or approved a higher number of state implementation plans for cutting pollution than the Obama administration did in its first eight months.

### Not in line

-  Missed a key deadline for implementing Obama's 2015 ozone pollution limits and has not indicated when EPA will require polluted areas to take action. Instead formed an ozone task force.
-  Moved to rescind Obama's Clean Power Plan, which would have reduced planet-warming carbon emissions and harmful air pollutants from coal plants.
-  Plans to ease Obama's auto pollution standards.



-  Delayed the legal defense of Obama's standards for mercury and air toxics from power plants.
-  Halted an Obama-era order to prevent states from exempting power plants, refineries and chemical manufacturers from pollution standards when they are starting up, shutting down or malfunctioning.
-  Defended a White House budget proposal that would cut money for state regulators who test air quality and carry out federal laws — despite his public vow to push for funding.

He has also criticized Obama's EPA for rejecting state implementation plans that the agency deemed to be too lax, complaining that it demonstrated a "we know best" attitude in Washington.

Pruitt's EPA has signed off on 378 actions related to state plans as of Sept. 25, compared with 213 during the same period under Obama.

But Natural Resources Defense Council lawyer John Walke said those numbers may show that EPA is rushing to sign off on weak plans, rather than ensuring that the states are putting in place sufficient protections. For example, environmentalists complained after EPA released a plan in October to reduce haze-forming emissions from Texas power plants that they said was (<https://www.politicopro.com/tipsheets/energy-regulation-watch/2017/10/doe-gets-an-earful-on-pricing-rule-025158>) "drastically" weaker (<https://www.politicopro.com/tipsheets/energy-regulation-watch/2017/10/doe-gets-an-earful-on-pricing-rule-025158>) than the Obama administration's initial proposal.

State and local regulators want to comply with current air standards, said Miles Keogh, executive director of the National Association of Clean Air Agencies, but they also need federal money to do so. The White House has suggested slashing those funds, although Congress is likely to keep them at or near last year's level.

### Supercharging Superfund?

Pruitt's actions could be seen as speeding up the cleanup at polluted sites, but environmental advocates say they are toothless and could actually hurt the overall effort.

"The top 10 list, which he claimed would accelerate cleanups, actually entails taking money from some cleanups and putting it in other cleanups," said Elgie Holstein, senior director for strategic planning at the Environmental Defense Fund.

## PROMISE





**Clean up Superfund sites**

EPA has logged more than 1,300 hazardous waste sites into its Superfund program, many of them decades old. Polluters typically pay for cleanup as part of legal agreements with EPA. When they don't, taxpayers are on the hook.



## IN PRUITT'S OWN WORDS

*"The American people deserve, in my view, leadership on how to remediate those sites. That's some of the most tangible benefits we can provide folks environmentally," Pruitt said at the Heritage event. "We have more sites now than when President Obama came into office."*

**In line with his promise**

-  Suggested a top-10 list of priority sites for the agency to aggressively address.
-  Ordered (<https://www.politicopro.com/f/?id=0000015b-f478-de0a-a15f-ff9341d0001>) all Superfund cleanup plans costing more than \$50 million to get his personal approval.
-  Issued a task force list (<https://www.politicopro.com/energy/whiteboard/2017/07/epa-task-force-recommends-steps-to-streamline-superfund-program-091043>) of 42 recommendations for the Superfund program, including steps to speed up the assessment, review and decision processes.
-  Ordered two companies to pay \$115 million to clean up the San Jacinto Superfund site in Houston, one of two sites significantly damaged by flooding from Hurricane Harvey.

**Not in line**

-  Signed off on a White House budget proposal that would strip \$330 million from the \$1.1 billion Superfund program and cut funding for the Justice Department to enforce cases.
-  Has endorsed further staff and resource cuts that could make it more difficult to expedite cleanups.

That "opens the door to lobbyists trying to push for attention for one site versus another," Holstein said.

The Superfund program is famously problematic, largely because it lacks money for cleanups. Congress has been reluctant to hand over more money for the cases when EPA can't force polluters to pay. Trump's proposed budget cuts would worsen that situation.

Pruitt frequently criticizes Obama's EPA for adding more sites to the Superfund list than it cleaned up. He also points out that past administrations from both parties have been slow to act on some sites, such as the West Lake landfill near St. Louis, which holds

thousands of tons of radioactive waste from the Manhattan Project. It was added to the Superfund list in 1990, but EPA has yet to determine how to clean it up.

The Obama administration cleaned up and delisted (<https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date>) 60 Superfund sites and added (<https://www.epa.gov/superfund/national-priorities-list-npl-sites-listing-date>) 142 sites over eight years. So far under Pruitt, EPA has deleted two sites and added seven.

## Cleaning up drinking water — but where's the money?

Adam Krantz, CEO of the National Association of Clean Water Agencies, which oversee wastewater and stormwater systems, said he hasn't seen Pruitt or his agency have a "rapid or deep desire to change or roll back major regulations that really affect our members."

### PROMISE



#### Upgrade water infrastructure and promote clean water

Pruitt has highlighted the lead contamination in the drinking water in Flint, Michigan, as the type of disaster his agency aims to prevent.




### IN PRUITT'S OWN WORDS

*"We have a water infrastructure issue right now across this country. It's not just roads and bridges," Pruitt told a meeting of the U.S. Conference of Mayors in March.*

#### In line with his promise

-  Supports a White House budget proposal that would provide a 1 percent increase for EPA's State Revolving Funds, which provide low-interest loans to states for water projects.
-  Could provide additional money for water projects as part of the White House's promise to push for an infrastructure spending package.

#### Not in line

-  Rescinded a pending Obama regulation requiring dentists to keep mercury from entering the water supply — but then reissued it months later amid lawsuits.
-  Moved to withdraw and replace the Obama-era Waters of the United States rule, a sweeping regulation that seeks to define the waters and wetlands the federal government can regulate.
-  Supports a White House budget proposal that would cut funding for water cleanup projects, including those in the Chesapeake Bay, the Great Lakes and Puget Sound.

Trump has pushed a \$1 trillion plan to revamp the nation's infrastructure over a decade that could funnel funds to water infrastructure, although the White House has offered few details on how it intends to pay for that package and get it through Congress. Based on suggestions the administration has released so far, about 80 percent of the money would come from private parties or state or local governments.

## Undoing Obama's climate agenda

Pruitt has discounted the science showing that manmade emissions are the primary cause of climate change and argued that EPA overstepped its authority with Obama's Clean Power Plan. He has long been a backer of fossil fuels, and the oil and gas industry supported his campaigns in Oklahoma.

"God has blessed us with natural resources," Pruitt told POLITICO (<http://www.politico.com/story/2017/07/12/pruitt-climate-hypocrisy-merkel-europe-240479>) in July. "Let's use them to feed the world. Let's use them to power the world. Let's use them to protect the world."

### PROMISE

#### Halt climate regulations and challenge the scientific research behind global warming

As attorney general of Oklahoma, Pruitt fought EPA's climate regulations for the power sector. Now, he's proposed withdrawing the standards, saying the Obama EPA overreached its legal authority. He disagrees with the accepted science that human activities, mainly burning fossil fuels, are the main cause of the planet's warming, increased extreme weather and sea-level rise.

### IN PRUITT'S OWN WORDS

*On climate change: "I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact," Pruitt told CNBC. "So no, I would not agree that [carbon dioxide is] a primary contributor to the global warming that we see. But we don't know that yet, we need to continue to debate, continue the review and analysis."*

#### In line with his promise

- ☒ Proposed hosting public debates on the merits of mainstream climate science, an idea that scientists widely criticized as unnecessary given the huge volume of research showing that manmade climate change poses a serious threat.
- ☒ Moved to withdraw EPA's Clean Power Plan, a key part of Obama's climate policies, which would curb greenhouse gases from fossil-fuel-fired power plants 32 percent below 2005 levels by 2030.
- ☒ Proposed to delay a rule limiting planet-warming methane pollution from new oil and gas wells, and halted progress toward a rule for existing wells.

- ✓ Is reconsidering Obama's tightened mileage standards for automobiles and parts of a fuel efficiency standards for large trucks.
- ✓ Successfully lobbied Trump to exit the Paris climate agreement.
- ✓ Removed climate change information from government websites.
- ✓ Supports a White House budget proposal that would eliminate climate programs, as well as spending on science and research.

### Not in line

—

Pruitt hasn't committed to replacing the Clean Power Plan or ruled out the possibility of trying to overturn a years-old legal finding that requires EPA to curb greenhouse gas emissions. He wants to publicly debate the science, which many industry supporters fear would be a losing and embarrassing effort.

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Meanwhile, Pruitt's Clean Power Plan repeal is facing lawsuits from states and environmental groups, which say he won't have the final word.

"The second step here is a final [withdrawal] that survives legal challenges," Walke, of the Natural Resources Defense Council, said of the effort to eliminate the Clean Power Plan. "Scott Pruitt has not had any of those yet. Let's wait and see how successful he is."

The power sector's greenhouse gas emissions have been declining even without Obama's climate rule. But those emissions represent less than one third of total U.S. carbon pollution, and Pruitt has not taken steps to curb greenhouse gases from other industries.

### Pledging more 'respect' for states and businesses

Pruitt has touted his outreach to businesses and states, which he says bear the brunt of EPA regulations but were shut out of the process under Obama. He's gotten mixed reviews from the states themselves, whose responses are largely divided along party lines.

Dan Byers, vice president of policy for the U.S. Chamber of Commerce's Global Energy Institute, lauded Pruitt's approach but said it's too early to tell whether his moves to relax regulations will succeed.

#### PROMISE

### **Put more responsibility for environmental protection in the hands of states and businesses**

Pruitt has described EPA's past efforts to regulate greenhouse gas emissions and water pollution as overreaching, "arrogant" and "paternalistic." He has called for states to have a bigger role in carrying out federal environment laws, although his agency's budget proposal would cut much of the federal money they rely on.

#### IN PRUITT'S OWN WORDS



*On states: "Where the past administration missed it is they didn't respect the role of states. ... They saw them as adversaries as opposed to partners. That's just wrongheaded," Pruitt said in an (<http://www.1011now.com/content/news/Nebraska-Governor-and-EPA-Administrator-Discuss-WOTUS-451867203.html>) October interview (<http://www.1011now.com/content/news/Nebraska-Governor-and-EPA-Administrator-Discuss-WOTUS-451867203.html>). On regulating companies: "There aren't enough people that this agency can hire to stand on every corner in this country to look over the shoulder of all these companies and say 'do this' or 'do that.' What we have to have are people who are committed to care about outcomes. ... Most of those folks do," Pruitt said in an interview with (<http://time.com/4990060/scott-pruitt-interview-epa-schedule-meetings/>) Time (<http://time.com/4990060/scott-pruitt-interview-epa-schedule-meetings/>).*

### **In line with his promise**

- ☒ Moved to withdraw major climate, water and other regulations that some states and businesses have opposed.
- ☒ Launched a Smart Sectors program that assigns an EPA contact for each industry.
- ☒ Initiated regulatory reform task forces, including one to consider changes to an air permitting program known as New Source Review, which the utility, manufacturing and chemical industries have complained about for decades.
- ☒ Gave industry a (<https://www.politicopro.com/energy/story/2017/10/epas-pruitt-boosts-industry-role-in-negotiations-with-green-groups-163450>) greater role (<https://www.politicopro.com/energy/story/2017/10/epas-pruitt-boosts-industry-role-in-negotiations-with-green-groups-163450>) in negotiations with green groups that sue EPA seeking tighter regulations.
- ☒ Restructured science advisory boards to include more industry and state interests.



**Not in line**

-  Supports a White House budget proposal that would nix almost 20 percent of funding that helps states pay for environmental projects and staff.
-  Is carrying out further staffing cuts, including the potential for closing certain regional offices, all of which would may make outreach harder.

Under Obama, there was “at least a sense that we would have a nice polite meeting, but that feedback was moot because the path had already been decided,” Byers said. “Now there’s a feeling of a true partnership.”

Similarly, Julia Anastasio, executive director of the Association of Clean Water Administrators, said Pruitt’s approach with states is “refreshing.” Her members thought previous administrations treated the EPA-state dynamic like a “parent-child relationship,” rather than a “co-partnership or collaboration of equals,” she said.

But Pruitt’s outreach has been selective: He has almost exclusively visited Republican states, making media appearances with GOP governors, including Nebraska’s Pete Ricketts, who said his state was “ecstatic” about the withdrawal of the Waters of the U.S. rule.

Sen. Tom Carper also noted in an August [letter](https://www.politicopro.com/f/?id=0000015f-a2c3-de5e-abff-bfd765700001) (<https://www.politicopro.com/f/?id=0000015f-a2c3-de5e-abff-bfd765700001>) to Pruitt that EPA’s grant database showed awards to Democratic-leaning states — including Delaware, Massachusetts and California — had declined compared with 2016. EPA has not yet responded to that letter, according to a Carper spokeswoman.

Democratic-led states, meanwhile, plan to go to court to fight many of Pruitt’s anti-regulatory plans.

Rep. Don Beyer (D-Va.) said he’s concerned Pruitt’s actions are already causing real damage.

“I think it’s having a really major impact and it’s really discouraging,” Beyer said in an interview. “I just can’t wait for these next three years and three months to be up.”

*Anthony Adragna contributed to this report. Development by Lily Mihalik.*

[http://www.tulsaworld.com/ap/state/magnitude-quakes-rattle-oklahoma-town-early-sunday/article\\_65db37e6-0a58-5dbf-9c65-e9a70db8e31b.html](http://www.tulsaworld.com/ap/state/magnitude-quakes-rattle-oklahoma-town-early-sunday/article_65db37e6-0a58-5dbf-9c65-e9a70db8e31b.html)

AP

## Magnitude 3.7, 2.9 quakes rattle Oklahoma town early Sunday

23 hrs ago

EDMOND (AP) — The U.S. Geological Survey has recorded two earthquakes that struck near a central Oklahoma town early Sunday.

Both temblors hit just east of the Oklahoma City suburb of Edmond. The first quake had a preliminary magnitude of 3.7 and struck at 2:12 a.m.

The second quake, with a preliminary magnitude of 2.9, followed soon after the first, hitting at 2:20 a.m.

There were no immediate reports of injury or severe damage.

Thousands of quakes have struck Oklahoma in recent years, many linked to the underground injection of wastewater from oil and natural gas production.

Several oil and gas producers have been directed to close some wells and reduce injection volumes in others, including two in the area of the recent temblors.

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# Pipeline rupture shatters couple's dreams

By **Brendan Gibbons** | November 18, 2017 | Updated: November 18, 2017 9:28pm

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Photo: Tom Reel, Staff / San Antonio Express-News

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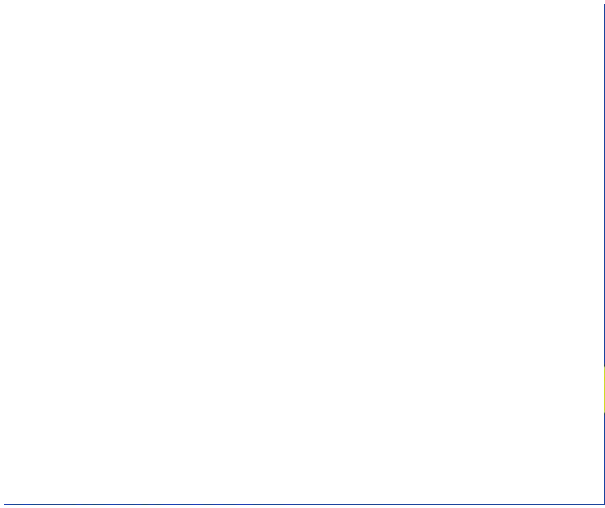
#### IMAGE 1 OF 12

A sign, reportedly placed after the accident, warns of danger as Meghan and Steve Arnold show parts of their home on September 12, 2017 affected by poisonous gas leaking onto their property as a result of a ... [more](#)

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CHARLOTTE — Meghan Arnold and Steve Woytasczyk were startled awake in their bed to a deafening roar. It sounded like a jet plane taking off in their living room.

It was shortly after 5 a.m. on March 1, 2016, and Woytasczyk went to find the source of the noise. Arnold gathered the couple's children: Kali, 4, Reese, 2, and Stevie, 1, at the time.



As Woytasczyk opened their front door, a powerful sulfur smell smacked him in the face. He looked around and saw a strange substance raining down from the sky.

“It literally looked like someone was holding the world’s biggest can of WD-40,” Woytasczyk said recently. “Just a solid mist ... a solid fog.”

A diesel mechanic who has worked on oil field trucks and equipment, Woytasczyk knew what the smell and the mist meant: An Energy Transfer Partners natural gas pipeline running through their property had burst, spraying deadly hydrogen sulfide gas and raining condensate upon the couple’s home.

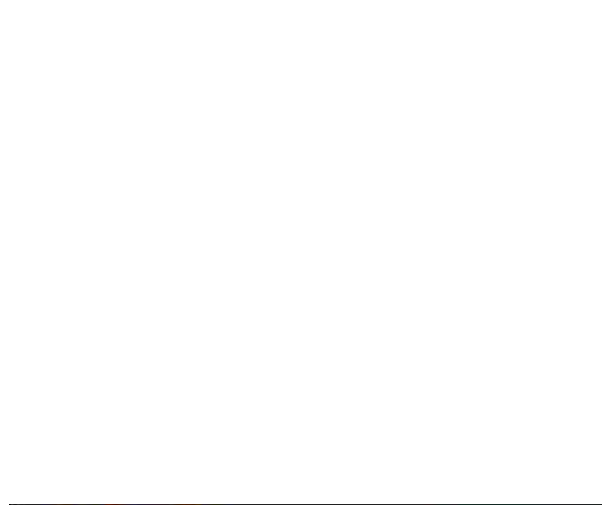
He knew they had to get out.

Back inside, Arnold was hunkered down with the children in the bathroom. Woytasczyk screamed to her above the roar.

“I’m going to go outside and move the truck,” he recalled telling his wife. “If I drop out front, don’t try and go and get me. ... Take the kids, get in the truck, go as far down the easement as you can.”

He sprinted back outside, jumped in his truck and moved it close to the front door. The family piled in and peeled out in the yard, running over their barbecue pit and small mesquite trees as they drove onto the strip of pipeline easement only 130 feet from their house.

They drove north, away from the sound and the smell, until they reached the edge of a neighboring property. A neighbor opened the gate and let them through.



They were safe, for the moment.

### **Pipeline at least 70 years old**

In the months after the rupture, the family sued Energy Transfer Partners and its construction contractors, GTO Construction and Shafer Project Resources, for negligence. They also made claims of neglect, nuisance and trespass against ETP, a publicly traded Fortune 500 company headquartered in Dallas with \$1.2 billion in gross profits in 2016, according to NASDAQ.

ETP officials did not grant interview requests. In an email, ETP spokeswoman Alexis Daniel said the “company disagrees with what has been represented” but did not address any specifics.

“We do not publicly speak about current or pending litigation,” Daniel said in her email. “We look forward to working through the legal process regarding this matter.”

In state district court filings in Atascosa County, all three companies denied the allegations.

Work had been done on the pipeline as recently as three months before the break, satellite photos indicate. Seven months after the rupture, an inspector with the Texas Railroad Commission, the state’s oil and gas regulator, wrote on what likely caused the break.

“The cause of the rupture was determined by metallurgical analysis to be the girth weld has cracked and fractured,” an inspection report states. “Contributing factors may have been the overloading by external downward force caused by a misalignment during the construction phase.”

Public records and media reports indicate that the pipeline is at least 70 years old, 16 inches in diameter, made of steel and coated with fusion-bonded epoxy to protect against corrosion.



In 1957, Transco, a major pipeline operator in South Texas at the time, wanted federal go-ahead to add more miles of pipe to its gathering system serving the oil and gas fields between San Antonio and the coast, according to the Corpus Christi Caller-Times.

That system included the West Big Foot Lateral, a line that transported gas from the West Big Foot formation, a natural gas play in Frio County. Over the years, the lateral became part of a network of gathering lines, referred to as the Tilden Gathering System.

A federal filing by Regency Energy Partners, a one-time owner of the West Big Foot line, describes the Tilden system as “a large integrated natural gas gathering and treating system located in McMullen, Atascosa, Frio and La Salle counties in South Texas.” It funnels gas to a processing plant outside Tilden in McMullen County.

The line has changed hands five times over the past 16 years, according to Railroad Commission filings. That’s a typical situation for pipeline systems in an age of mergers and consolidations.

Pipeline operators Williams, Enbridge and TexStar Field Services owned it between 2001 and 2006, when it was purchased by Regency Field Services, according to records. In 2014, Regency

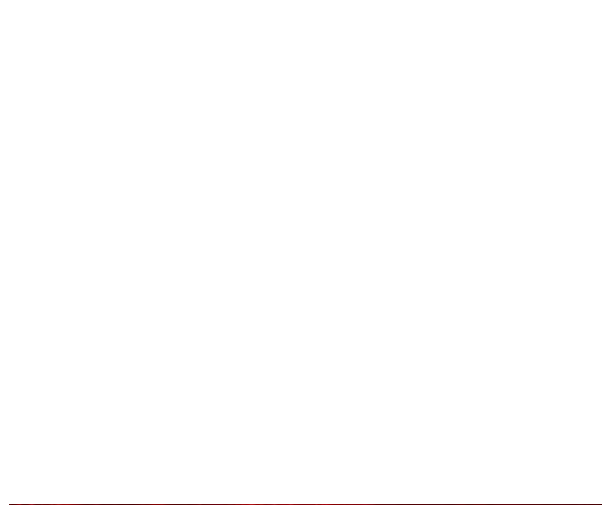


merged with Energy Transfer Partners.

## **No safety regulations**

In the lawsuit, the couple's lawyer claimed that ETP staff told Arnold and Woytasczyk in the fall of 2015 that there were at least 19 "anomalies" on the pipeline in need of repair, including two on their property.

Google Earth photos from December 2015 indicate that ETP was having work done on the line at that time. The images show construction equipment, white trucks and pipeline workers excavating sections of the line south of Arnold and Woytasczyk's house. It also shows recently disturbed dirt over the area where they say the pipeline ruptured.



In populated areas, work on oil and natural gas pipelines must be done according to minimum federal safety standards. These cover pipe materials, welding procedures and the qualifications of the people doing the work, among other regulations.

But the work on the pipe running through Woytasczyk's property was done without any kind of safety standards or oversight by state or federal regulators.

That's because it's a rural gathering line, used to transport oil, gas or natural gas liquids from the wellhead to a midpoint, such as a processing station.

Federal and state regulators rank pipelines by proximity to people, from classes 1 through 4, depending on population density. The most rural class, Class 1, has 10 or fewer homes within 220 yards of the pipeline's center.

No safety regulations, state or federal, apply to Class 1 gathering lines, Railroad Commission spokeswoman Ramona Nye confirmed in an email.

Out of the nearly 449,000 miles of pipeline in Texas, nearly 173,000 miles are Class 1 gathering lines, according to the commission.

When building new pipelines, most reputable companies nowadays build their lines to meet federal standards even if they're not required to, said Don McCoy, an independent consultant and former federal pipeline regulator who has also worked for pipeline giant Williams Partners.

But that's less often the case when companies repair sections of decades-old lines rather than replacing them entirely, he said.

"The field is probably playing out, so they probably wouldn't be making capital investments on that," he said.

### **Dream house in the country**

Arnold and Woytasczyk had no idea that they would be living next to an active pipeline when they bought their property just south of Charlotte.

Arnold is a sharp-witted 25-year-old who speaks with a Louisiana twang. Woytasczyk, 35, was born in San Antonio. The couple met while she was an office worker at his former employer.

In 2013, they were living in a neighborhood near Calaveras Lake in South Bexar County. He worked his mechanic's job, while she stayed home and took care of the kids.

They knew what they really wanted was a true country lifestyle — a nice one-story home far from the city where they could hunt and relax.

Soon, they had found the ideal spot: 27 acres off County Road 344 a few miles south of Charlotte. Deer and bobcat lurked in the scrub brush and mesquite, and their well pumped clean groundwater. They took out a mortgage and closed the deal in 2015.

Arnold said they had asked the previous owner about what they thought was an abandoned pipeline easement that extended past the ranch gate at the edge of the property. At the time, it

had no signs or other markings to indicate it was still in use, she said. Small mesquite trees grew on the strip of land.

Soon after the purchase, they started laying out blueprints for the house and took out a bank loan to finance its construction.

Woytasczyk, his dad and other family members poured the concrete slab themselves, waiting almost six months for it to settle before starting work on the rest.

When they found out that Arnold was pregnant again, they scrapped their old plans and added another bedroom.

As the home was nearing completion, they learned for the first time that the pipeline was still in use. ETP workers had come to talk to them in fall 2015, saying they were doing repairs on the line.

They struck up a neighborly relationship, Arnold said.

“They’d bring me doughnuts,” she said. “Stop, talk, come ask how the kids were. Things like that.”

The house was mostly finished by late 2015. They had only lived there about eight months before the pipeline ruptured, an event they still refer to only as “The Incident.”

## **Official response**

With the roar of the pipeline in the distance, Arnold got through to 911 on her mobile phone. Dispatchers sent the Charlotte Volunteer Fire Department to the scene.

She also got hold of an ETP employee, a man she had spoken to before, telling him, “Your (expletive) pipeline blew up.”

“They said, ‘Where?’ and ‘Get the hell out of there,’” she said.

Looking back on it, the man’s reaction baffled Woytasczyk. He figured they would have known where the break happened.

“From my understanding ... this stuff is monitored,” he said. “I mean, there’s somebody checking those gauges, pressure readings and all that stuff every so often. If there’s any fluctuation, you shut it down, figure out what’s going on.”

At 7:45 a.m. that day, the San Antonio office of the Texas Commission on Environmental Quality, which responds to pollution-related emergencies such as this, was notified by Atascosa County emergency management, according to a TCEQ investigation report. It was 10:30 a.m. by the time a TCEQ investigator named Lillian Butler arrived.

By then, the rupture had been contained, the report states.

State records indicate that Arnold, Woytasczyk and their children were exposed to multiple different substances that day.

When it leaves the ground, natural gas is composed mostly of methane — the most simple hydrocarbon — a highly explosive but nontoxic gas. It also includes small concentrations of a cocktail of other hydrocarbons — ethane, butane, propane and more — known as condensate, which can be harvested for fuel or chemical manufacturing.

For most natural gas formations, the mixture also includes hydrogen sulfide, a highly corrosive, poisonous, flammable gas that smells like rotten eggs and is formed when microbes break down ancient organic matter.

During the rupture, the pipeline spewed an estimated 4,200 pounds of hydrogen sulfide, 7,600 pounds of sulfur dioxide and 77,502 pounds of volatile organic compounds, or VOCs, according to a TCEQ follow-up report.

After walking around a half-mile radius using a hand-held air quality meter and finding no dangerous levels of air pollution, Butler went back to the office. But she soon returned after hearing Arnold’s concerns about whether her home was safe.

Butler and another TCEQ staffer, Jeffrey Seiler, brought monitors to record hydrogen sulfide and volatile organic compounds. They measured low levels of hydrogen sulfide and VOCs.

More precise measurements taken using a canister sampler showed elevated levels of several different chemicals, but none above levels the TCEQ considers harmful over the short term.

Neither the TCEQ nor the Railroad Commission found that ETP or its contractors violated any state laws or regulations.

## **Health problems**

In the days after the rupture, Arnold noticed that something seemed off with her children. Reese slept for a day and a half afterward, while Kali and Stevie experienced uncontrollable diarrhea and vomiting, she said.

They also felt strange, physically. Arnold said her eyes burned and she had a headache.

"I guess the best way to describe it, we felt drugged," she said.

At first, the family had trouble finding qualified medical help in San Antonio. Nobody seemed to know anything about exposure to natural gas-related chemicals, Arnold said.

In the following months, doctors diagnosed all three children with pneumonitis, or inflammation of lung tissue, according to doctors' reports that Arnold showed the San Antonio Express-News.

Four months after the rupture, doctors said the children were improving, though chest X-rays still showed "abnormalities."

Arnold said the children's X-rays have since returned to normal, though she's worried that they may have a higher chance of developing asthma in the future.

As a mother, the effects on the children deeply trouble Arnold.

"I am a stay-at-home mom, and it's my job to protect my kids from the monsters outside," she said.

## **Financial problems**

Not much is left of the family's dream. The home is mostly empty, though the care they put into it was still obvious during a visit to the house in August.

They offered seats on their couches and bottles of water. They pointed out their carefully chosen kitchen and bathroom tile, a compact water heater that fits into a tiny space above the kitchen.

Arnold ran her hand along the rounded edge of a granite countertop alongside the kitchen — she didn't want it to be sharp, in case the kids smashed their heads into it while playing.

"There's a lot of family value here," Woytaszyk said. "We came together to build this."

There were also lingering signs of the chemicals that washed over their house. Strange circles were etched into some of their windows. Door handles that looked new on the inside were corroded and dull on the outside. Hinges were rusted, and a 2-year-old bolt on their outdoor hose looked rusted and crumbling, like it had been there for decades.

"Every time it's dewey in the morning, we can smell it again," Woytaszyk said.

The couple's troubles mounted in the months after the rupture. They weren't sure if their home was safe, but they assumed that ETP would help them make things right.

"I thought they'd come out and see what needed to be done and basically take care of what happened," Woytaszyk said.

ETP officials offered to hire a housecleaning service for them, they said, but the family was not able to find one that would agree to clean a house affected by a ruptured pipeline.

They ended up doing the cleaning themselves, with the advice of industrial hygienists hired by the couple and the Texas Farm Bureau, from whom they had purchased farm and ranch insurance. The hygienist told them to thoroughly clean their ventilation system, Arnold said.

In May that year, their homeowner's insurance company dropped them, they said. A claim with the Texas Farm Bureau was denied.

Eventually, ETP officials stopped returning their calls, they said. The days of doughnuts and small talk were over.

"When something like this happens, you're no longer a victim, you're the enemy" in a company's eyes, Arnold said.

Their mortgage lender, Falls City National Bank, has intervened in the lawsuit to sue both the couple and ETP. The bank argued in an August legal filing that the home is now worth less than what they owe on their mortgage.

Since the lawsuit, Woytasczyk has had trouble finding work in companies that serve the oil field. The couple weren't able to hold onto the new trucks they had purchased after damage left them uninsurable, Arnold said.

The two stressed multiple times that they don't want sympathy. They're interested in telling their story in the hopes that it might help others.

"This isn't about sympathy for us," she said. "This is a problem, and we need to deal with it."

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**Brendan Gibbons**

Staff Writer | San  
Antonio Express-News

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# LR wastewater utility passes \$91.9M budget

By [Chelsea Boozer](#) [twitter](#)

This article was published November 19, 2017 at 3:03 a.m.

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Revenue and expenses are both projected to increase at the Little Rock Water Reclamation Authority next year.

The authority's governing commission approved a \$91.9 million budget last week.

Of that, \$27.5 million comprises operation and maintenance expenses, up \$600,000 from this year, or 2.2 percent.

It has been a goal of Chief Executive Officer Greg Ramon's to keep each year's operating budget within 2 percent of the previous year's since he arrived at the utility, formerly known as Little Rock Wastewater, in 2014.

Revenue is projected to increase almost 5 percent to \$57.9 million in 2018, partly because of an increase in landfill disposal fees.

Other expenses include capital projects that will be financed with loans and bonds.

The utility has budgeted to spend \$29.5 million on capital projects required under a Consent Administrative Order that demands that sewer overflows in the city be corrected by 2023.

Those projects include adding an additional storage basin at the Scott Hamilton Drive peak flow facility, improvements to the Adams Field facility, rehabilitation at the Fourche Creek facility, and various improvements to correct capacity throughout the sewer system.

Administrative costs will go up next year to allow for the expansion of the utility's public education and community outreach programs. Ramon also wants to start a professional development program for supervisors.

The amount the utility will spend on contract services is expected to go down, mostly because changes in the operating procedures at the Cantrell Road Pump Station have reduced the need for an odor abatement program.

All employees will receive a 3 percent salary increase in 2018. Health insurance premiums are increasing by 7 percent.

In 2018, the wastewater utility is increasing its sewer disconnect fee from \$150 to \$175. The fee must be paid to allow for sewer services to be disconnected from a property before a building is moved or demolished.

The Little Rock Water Reclamation Authority expects its reserve balance to increase to \$17.4 million next year.

The Water Reclamation Commission unanimously approved the 2018 budget.

[http://www.theadvocate.com/baton\\_rouge/news/communities/livingston\\_tangipahoa/article\\_722e409e-cd60-11e7-89e9-2fa488b31969.html](http://www.theadvocate.com/baton_rouge/news/communities/livingston_tangipahoa/article_722e409e-cd60-11e7-89e9-2fa488b31969.html)

# One year after flooding, eastern Livingston Parish votes no on drainage improvements

BY CAROLINE GRUESKIN | CGRUESKIN@THEADVOCATE.COM NOV 19, 2017 - 6:46 PM

Caroline Grueskin

A year after thousands of homes flooded in Livingston Parish, residents in the eastern part of the parish said "no" to tax proposals that would have paid for drainage improvements.

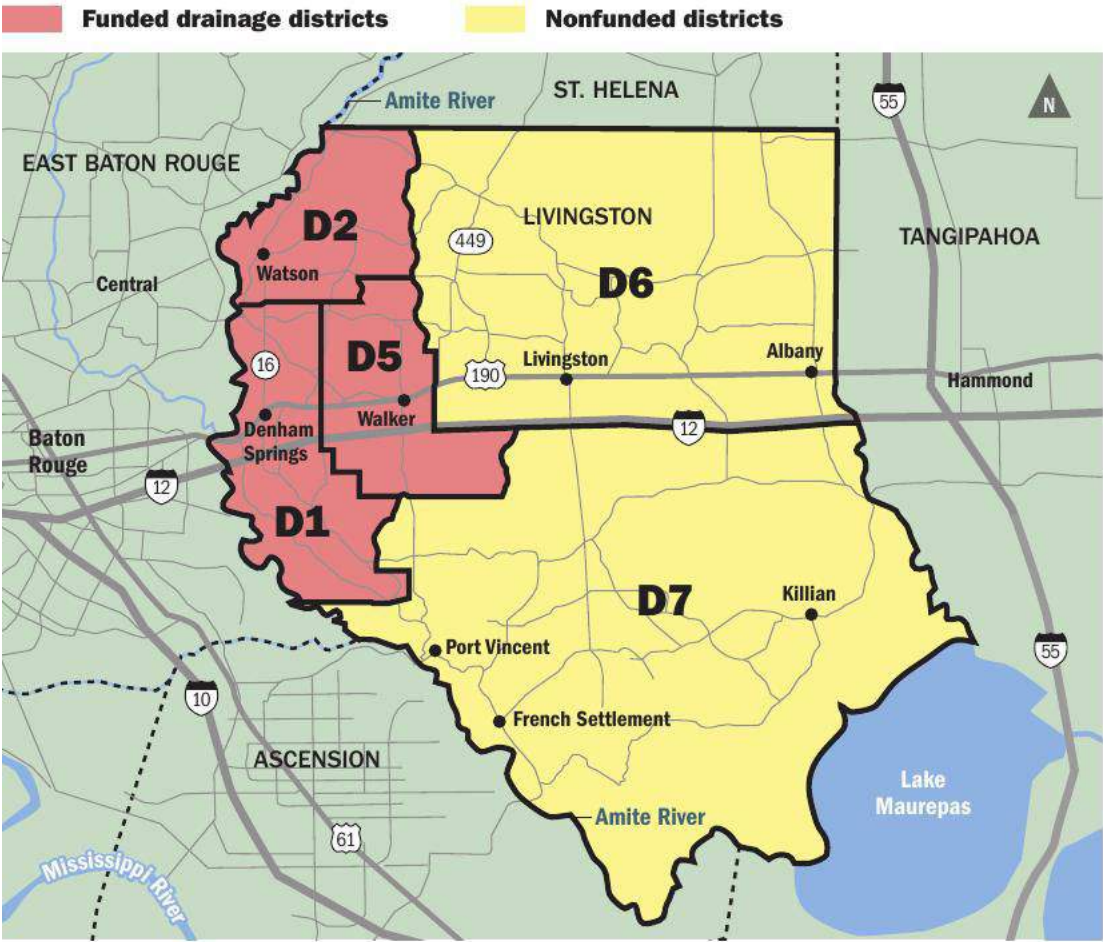
Residents living east of Walker were faced Saturday with ballot proposals that would have funded gravity drainage districts — local boards that oversee off-road drainage maintenance and cleaning. Passing the tax would have created the first Livingston Parish-wide system of drainage districts.

But residents issued a clear "no," to both proposals. In the northeastern part of Livingston, Drainage District 6, voters nixed a 5-mill property tax with a 62 percent vote and a half-cent sales tax with a 61 percent vote. In the southeastern part of the parish, Drainage District 7, residents voted against an 8-mill property tax with 54 percent of the vote, according to the Secretary of State's office.

*Story Continued Below*

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# LIVINGSTON PARISH DRAINAGE DISTRICTS



D1	D2	D5	D6 D7
<div></div>	<div></div>	<div></div>	<div></div>
<b>Tax collections</b>	<b>Tax collections</b>	<b>Tax collections</b>	These districts currently have no money at all. If a tax is passed on Nov. 18, D6 is expecting to take in annually \$700,000 and D7 is expecting to raise \$960,000.
2016: \$2,762,218	2016: \$1,136,046	2016: \$2,117,000	
2015: \$2,313,461	2015: \$937,086	2015: \$1,684,000	
2007-2016: \$17,139,275	2007-2016: \$6,981,973	2007-2016: \$14,931,300	

Source: Staff research      Note: There are no drainage districts 3 and 4      Advocate graphic by **DAN SWENSON**

"I'm at a loss," said Livingston-area Parish Councilman Jeff Ard. "I thought this is something people would've wanted. It would've helped everybody's property."

Supporters of the tax proposals pointed in interviews Sunday to the general anti-tax sentiment in the eastern part of the parish as a key reason for the proposals' failures. Those sentiments were compounded by financial struggles rebuilding post-flood, they said.

"To me, people are in an anti-tax mode right now," said Albany-area Parish Councilman Shane Mack, who said he was disappointed by the results. "No new taxes. Period. The end."

Low voter turnout did not help the cause either, argued District 7 Board Chair Larry O'Neill. Turnout in District 6 was about 12.5 percent, while turnout in District 7 was at 13.2 percent, according to the Secretary of State's office.

O'Neill speculated that many people who complain about the flooding problems on their roads and in their neighborhoods did not go out to vote, allowing the people who are passionate in their opposition to new taxes to carry the day.

"Those are the ones that will scream the loudest and longest about, 'we need to do something about drainage' when we flood," he said about voters who didn't turn out. "But the people have spoken, and there is nothing more I can do about it."

O'Neill said he anticipates the District 7 board members will resign before the end of the year, and Ard said he expects the District 6 board to be dissolved as well. People were recently appointed to the boards ahead of the tax vote.

But Mack also conceded supporters might have done a better job getting the message out about the tax.

"We hit it pretty hard in the past couple of months," Mack said. "But when it comes to passing a tax in Livingston Parish, we need to start a year in advance."

#### **Supporters of Livingston Parish drainage tax proposals trying to build momentum as early voting begins**

The idea behind the proposals was to fund two gravity drainage districts, similar to the three that already cover the areas around Denham Springs, Walker and Watson. The funded districts would be responsible for applying for grants and buying equipment, as well as hiring maintenance workers to clean out the lateral ditches and canals that funnel rainwater from neighborhoods into the Amite River and Lake Maurepas.

The parish councilmen leading the push for the tax said they were responding to one of the most common concerns they heard from residents: poor drainage that led to road and even house flooding during heavy rains. The taxes would have been used specifically to clean drainage canals within the districts that was paying for the maintenance, supporters said. A small crew of parish workers is currently responsible for the unfunded districts that make up about 80 percent of the parish's land mass.

The taxes in District 6 would have raised about \$700,000 annually and the tax in District 7 would have brought in about \$900,000, according to the ballot measure language.

#### **Unfunded drainage districts leave some Livingston ditches clogged; tax supporters hope to fix that**

Some opponents to the taxes said the problem was not the idea itself, but rather how it was executed. Blaine LeMaire, an alderman in Killian, said people wanted a more defined game plan and budget in advance of the vote.

"If there had been more of a plan, they would have won," said LeMaire, who owns a generator company and said he has also talked with people in the Albany area about the proposals.

#### **French Settlement officials raise questions about proposed drainage tax**

He added that supporters started talking about the tax initiative in his area fairly late. Three councilmen attended a town meeting in Killian last week, and road signs started cropping up around that same time, he said. He said people would, overnight, take those signs down and replace them with "vote no" signs.

Ard said he does not think it was conceivable, especially in the northeastern district where two taxes were on the ballot, to have a specific budget.

"I tried to explain to them, until we knew how much money we'd be getting, we can't put a plan together," he said.

Having lost the election, the councilmen are starting to consider a way forward.

"We've got a major problem, and we're going to think long and hard about how we're going fix it," Mack said.

One idea is to create a parish-wide drainage district, similar to what exists in Ascension and Tangipahoa Parishes, Mack and Ard said.

But the councilmen and parish president note that would be a challenge to pass, as it would involve either co-opting or dissolving the existing drainage districts and passing some kind of parish-wide tax.

The highest concentration of sales and property tax revenue exists in the areas already covered by drainage districts. Those residents are unlikely to want to now spread their tax money throughout the parish, noted Parish President Layton Ricks, who said he is disappointed but not surprised by the outcome.

"You're going to be in effect diluting the tax dollars they're already paying," Ricks said. "I don't think this will go over so well."

The other idea would be to try again with a proposal similar to the one that just failed.

Caleb Atwell, an accountant from Killian, who encouraged people on his Facebook page to vote no prior to the election, said he thinks trying again is still the most promising way forward.

"I think they did right by trying to go district by district. That way each district, you have more local control over where the money is going," he said, adding that the districts would have to work together to solve the parish's drainage problems.

Atwell said a big problem for him with the recent proposal was the lack of an estimated budget. In addition, Atwell said he and other residents are skeptical of whether the drainage board would keep the money in the district. He also didn't like that the board members were appointed by parish council members and not elected.

He suggested the supporters could do better next time by getting people to think about the drainage issues, including recruiting volunteers to take people to see or even try to clear the most clogged canals.

"It's one thing to talk about drainage and admit there's an issue, but it's different to see it in person," he said.

Delia Taylor, a local public relations consultant who worked with both drainage district campaigns, said community involvement would be key if proponents were to try again.

She said supporters would need a more aggressive, involved effort in advance of putting a tax proposal on the ballot, including hosting town halls, going subdivision to subdivision and engaging people one-on-one.

"There may not be a better solution (to the one that was just on the ballot)," she said. "But at least at that point, the community has discussed it."

GET READY FOR BLACK FRIDAY

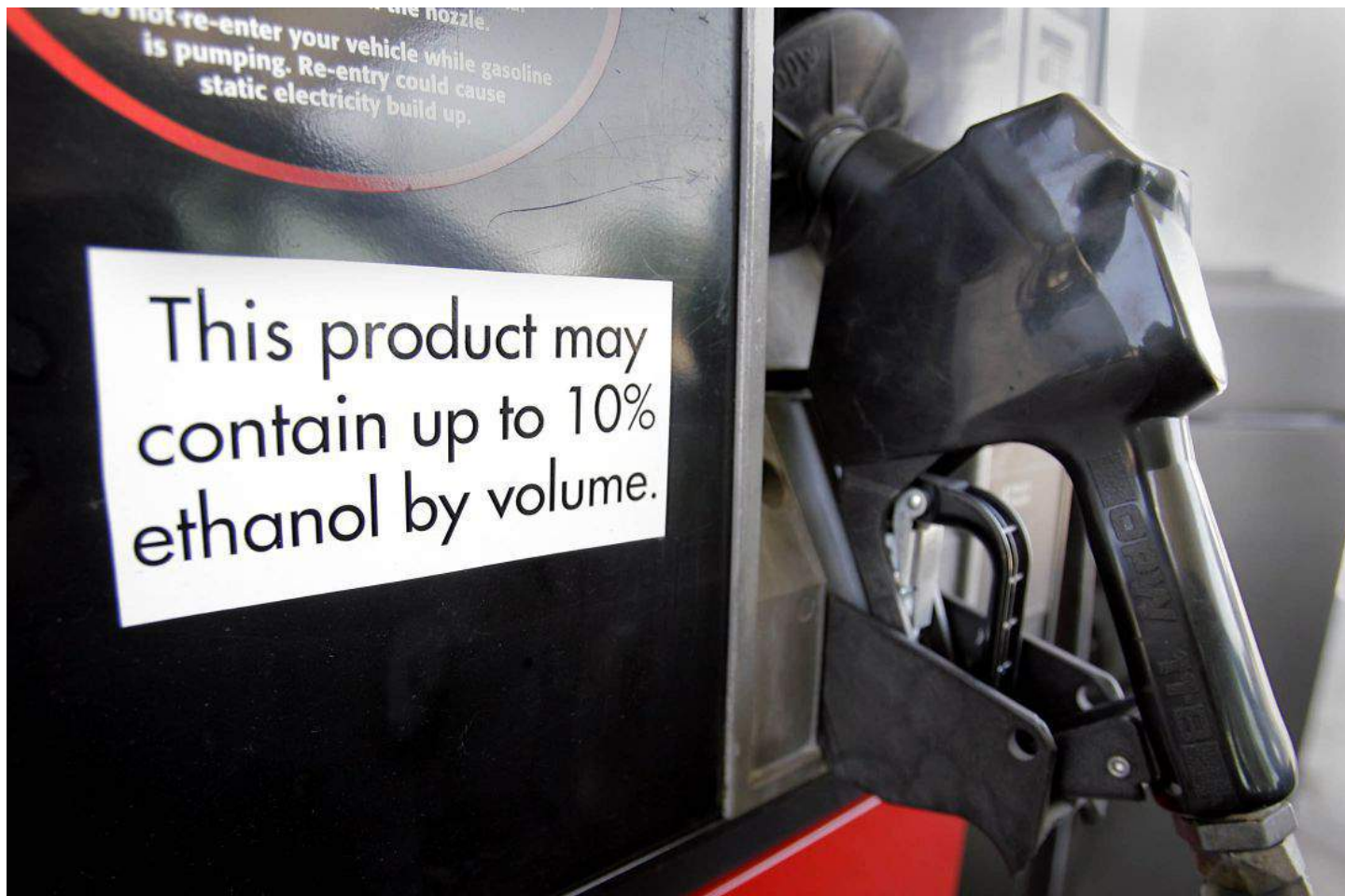


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## Wayne Greene: Refiners over a barrel ... and the barrel is full of ethanol

Nov 19, 2017



An ethanol sticker is shown on a gas pump at a Tulsa station.

Tulsa World file

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Federal rules and politics have Oklahoma refineries over a barrel, and the barrel is full of ethanol.

Renewable fuel standards passed by Congress in 2007 hold U.S. refineries responsible for blending billions of barrels of ethanol into the U.S. fuel supply every year through 2022.

The law mandates up to 15 billion barrels of conventional ethanol and additional billions of barrels of more exotic versions, such as cellulosic ethanol made from tree bark and such.

The 2007 requirements were based on optimistic projections of fuel consumption, but a recession, stricter mileage standards and kids who just aren't in love with the idea of driving have made those mandates unrealistic, according to refiners.



Meanwhile, the U.S. ethanol industry can't even produce enough of some kinds of ethanol to meet the requirements. *A law hypothetically designed to promote energy independence now has us importing ethanol from South America.*

That's stupid economics, and it doesn't stop there.

It turns out that American consumers don't like ethanol-blended gasoline. It reduces mileage and reeks of corn-state patronage politics. My 2000 Malibu doesn't like 10 percent ethanol blends — the so-called E10 that is practically universal at local gas stations now — and just won't work on E15. When I bought my lawnmower the one bit of advice the salesman gave me was: Whatever you do, don't put any ethanol in it. Only use *real* gasoline, he said.

Then there was the whole big thing created by how the law is enforced on refineries that rely on downstream blenders to add ethanol to their gasoline.

To prove they are doing their part in meeting the law's mandate, those refineries have to buy Renewable Identification Numbers, proof of ethanol mixing, on a marketplace where speculators drive the price far beyond the actual cost of the service.

The high cost of RINs "has become very urgent, threatening some refiners' survival," according to an Oct. 18 letter to President Donald Trump from four refinery CEOs. Two of those companies — Valero Energy Corp. and HollyFrontier Corp. — have Oklahoma refineries.

A recent letter to EPA Administrator Scott Pruitt from nine oil-state senators, including Sens. Jim Inhofe and James Lankford of Oklahoma, says that 75,000 to 150,000 U.S. refinery jobs are at risk. In addition to the HollyFrontier refineries in west Tulsa, Oklahoma is home to a Valero refinery in Ardmore, a ConocoPhillips refinery in Ponca City and CVR Refining's Wynnewood facility. CVR also has a refinery just across the state line in Coffeyville, Kansas.

In an Oct. 17 letter to Pruitt, Oklahoma Secretary of Energy Michael Teague says that system "has led to market drivers that disproportionately and adversely impact smaller refiners and small retailers without providing additional environmental benefits."

The refiners have proposed a number of solutions to the problem, including backing down the mandate to reflect actual fuel consumption. But those ideas have run into the politics of Washington, specifically ethanol's protector-in-chief, U.S. Sen. Charles Grassley, R-Iowa, and the corn lobby.

When the EPA considered modestly accommodating the refineries earlier this year, a political maelstrom broke out in Washington. Full-page ads in The Washington Post accused the Trump administration of reneging on ethanol promises. Grassley reportedly used his Judiciary Committee chairmanship as leverage against the idea.

Now, refinery-state governors are appealing to Pruitt for temporary regulatory relief from the mandate. The governor of Pennsylvania has already sent a relief request to Pruitt. Instead of deciding the issue of the merits of the marketplace, the new requests for regulatory relief use the same sort of calling-in-favors politics as the corn states used earlier this year. It's the wrong way to decide the issue, but we abandoned the right way a long time ago.

Ethanol was sold to the nation as a means to energy independence, but that was a fraud. U.S. ethanol policy takes food and turns it into energy, thus wasting energy and depriving a hungry world of food. Ethanol politics is really about the price of corn, which goes up when the federal government makes us put ethanol in our gasoline whether we want it or not. That's important in the politically critical, corn abundant state of Iowa.

Meanwhile, the upside-down world of ethanol policy has Oklahoma refineries paying inflated market prices to prove someone else is doing something with their gasoline which makes very little sense in terms of energy policy but fits the requirements of the bureaucracy.

In the cornpone politics of ethanol, we're getting the shucks.